1 XINGFEI LUO

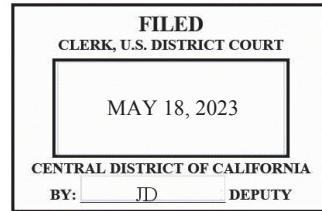2 PO BOX 4886,

3 El Monte, CA 91734

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5 Petitioner in Pro Se

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8   **UNITED STATES DISTRICT COURT**

9   **CENTRAL DISTRICT OF CALIFORNIA**

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11 XINGFEI LUO,   No. 8:22-CV-01640-MEMF-KES

12   Petitioner,

13   v.   **SUPPLEMENT TO PETITION FOR**
                                          WRIT OF HABEAS CORPUS
14 THE PEOPLE OF THE STATE OF
    CALIFORNIA
15
                                          Action filed: September 6, 2022
16   Respondent.

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18   Xingfei Luo (Petitioner) respectfully presents this supplement to Appendix to

19 Petition for Writ of Habeas Corpus. ECF 2.

20   On July 26, 2021, Count 2 was amended from allegation of coming within 100

21 yards of the protected person to failure to deactivate website and created new websites.

22 CT 66.

23   The trial court erred in giving a jury instruction unrelated to what Petitioner was

24 charged for. CT 146. The instruction was fundamentally incorrect because it referred to a

25 written order that the defendant not contact, send any messages to, follow, or disturb the

26 peace of the protected person, Tomas Czodor, not the websites that Petitioner was charged

27 for. At trial, there was no evidence showing that Petitioner ever contacted, sent any

28 messages to, followed, or disturbed the peace of the protected person, Tomas Czodor in

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1   violation of any court order.

2   Petitioner received ineffective assistance of counsel both at trial and on appeal.

3   Petitioner's trial counsel failed to object to the incorrect jury instruction and Petitioner's

4   appellate counsel failed to raise the issue on appeal.

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6   Respectfully submitted,

7   Date: May 18, 2023

8   /s/ Xingfei Luo

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CERTIFICATE OF SERVICE

2   I declare that I electronically filed the foregoing with the United States District

3   Court, Central District of California. Participants in the case who are registered CM/ECF

4   users will be served by the CM/ECF system.

5   I declare under penalty of perjury under the laws of the State of California and

6   United States of America that the foregoing is true and correct.

7   Executed on May 18, 2023

8   */s/ XINGFEI LUO*

9   XINGFEI LUO, In Pro Per

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